

## TREC Licensing Requirements

The 1973 Tennessee Real Estate Brokers Act, Rules, and Regulations, along with the Tennessee Timeshare Act, govern whether or not a candidate will be issued a license. Successful completion of the examination does not guarantee the issuance of any license.

On the examination day candidates must answer a series of qualifying questions, listed below. A “yes” answer to any of questions 1 through 6 may decrease a candidate’s ability to become licensed in the state of Tennessee. After candidates have completed the pre-licensing requirements, the commission will review the information provided and make a decision on their qualifications.

### QUALIFYING QUESTIONS

1. Do you now hold or have you ever held a real estate or timeshare license in Tennessee or any other state?

If you have held a license in another state within the last five (5) years, you must obtain a license certification from the license authority of that state. The license application will not be processed until the certification is received.

2. Have you ever been refused a license or had a license revoked, suspended, reprimanded, or fined by any federal, state, or local government? (Do not include motor vehicle license.)

3. Have you ever been refused or had a real estate or timeshare salesperson license revoked, suspended, reprimanded, or fined?

4. Have you ever had a complaint filed against you with any regulatory agency or with any court?

5. Have you ever pled guilty, pled nolo contendere, or been convicted of any criminal offense? (Do not include traffic violations.)

If you answer “yes” to question 5, the Commission requires you to submit a certified copy of your conviction record in addition to an affidavit providing details of each charge.

THE TENNESSEE REAL ESTATE COMMISSION DOES NOT ALLOW ANYONE ON PAROLE OR PROBATION TO BE SCHEDULED FOR EXAMINATION UNLESS TWO (2) YEARS HAVE PASSED FROM THE DATE OF EXPIRATION OF PROBATION, CONVICTION, OR RELEASE FROM INCARCERATION,

WHICHEVER IS LATER.

6. Are you at least 18 years of age?

The documentation described in each case above will be required by the Tennessee Real Estate Commission at the time a candidate passes the examination and wishes to apply for a license. The information should not be sent to PSI, nor should it be brought to the examination center.

Commission policy does not allow anyone on parole or probation to be scheduled for an examination. Candidates must be off parole or probation for a minimum of two (2) years. Candidates who violate this policy will not be licensed and will not be entitled to a refund of the examination fee.

#### LICENSING POLICY FOR CANDIDATES WITH PREVIOUS CONVICTIONS

In order to be fair and consistent with candidates and to ensure the protection of the public, the Tennessee Real Estate Commission adopts the following minimum requirements or standards for candidates who appear before it and, after review of the evidence, are granted a license:

- ☐ The licensee will be placed on a one-year period of probation.
- ☐ Each time the licensee transfers to a new firm, the new principal broker must send a letter to the Commission indicating the new principal broker is aware of the convictions and s/he is willing to supervise the licensee.
- ☐ This policy shall apply to all candidates with previous convictions who are granted licenses.

#### AFFILIATE BROKER CANDIDATES

Affiliate broker candidates must complete sixty (60) hours of real estate education in real estate principles/fundamentals before they take the examination. Proof that the education described above has been completed must be presented by each candidate at the examination center on examination day. The Pre-license Education Verification form must be completed by a school official at the real estate school the candidate attended and presented at the examination center on the day of the real estate examination. Affiliate brokers licensed between 7/1/04 and 12/31/04 must complete the 30-hour "Course for New Affiliates", within six (6) months of the date of issuance of an affiliate broker license. Affiliate brokers licensed after 12/31/04 must have completed the 30-hour "Course for New Affiliates" prior to their license being issued.

## BROKER CANDIDATES

To be eligible for the examination, broker candidates must have held an ACTIVE license that meets one of these criteria:

- ☐ Twenty-four (24) months actively licensed, if licensed as an affiliate broker on or before May 12, 1988
- ☐ Thirty-six (36) months actively licensed, if licensed as an affiliate broker after May 12, 1988
- ☐ Twenty-four (24) months actively licensed, if the candidate has a baccalaureate degree with a major in real estate.

In addition to experience, broker candidates must have successfully completed one hundred twenty (120) classroom hours of approved real estate education, thirty (30) hours of which must be an "Office/Broker Management" course taken at a school approved by the Tennessee Real Estate Commission. Broker candidates must submit the completed Broker Examination Application to the Tennessee Real Estate Commission.

Commission approval is necessary before the broker candidate may make an examination appointment. After completing a review of education and experience documentation, the Tennessee Real Estate Commission will inform candidates of eligibility for examination. The approval process takes approximately four (4) weeks to complete. Candidates may make an examination reservation after they have been approved.

## POST-LICENSING EDUCATION REQUIREMENT

Brokers licensed after January 1, 2001 must complete one hundred-twenty (120) additional hours of Commission approved education before the third anniversary of their broker license. Failure to comply with the post-broker education requirement will result in non-issuance of a license renewal. Brokers licensed after January 1, 2005 must complete continuing education requirements after completing the 120-hour post license requirement.

REAL ESTATE CANDIDATES CURRENTLY  
LICENSED IN ANOTHER JURISDICTION  
SEEKING A TENNESSEE RESIDENT LICENSE

Candidates who are currently licensed in another jurisdiction and who wish to obtain a Tennessee resident license must meet the same educational criteria as residents of Tennessee. All candidates must send the following documentation to the Tennessee Real Estate Commission before they make an examination reservation:

- ☐ Course completion certificates or transcripts documenting required real estate education
- ☐ License history certification from the state in which they are currently licensed. (Note: Examination eligibility will not be considered until the Commission receives this certification.)
- ☐ Proof of passing a written examination administered by a national testing company (PSI, ACT, ETS, NAI, Promissor, AMP, all ARELLO certified examinations) if they are requesting a waiver of the general (national, uniform) section of the Tennessee examination. (The examination must be for the same level of licensure for which they are currently applying.)

Broker candidates only must also submit:

- ☐ The broker application
- ☐ Certificate or evidence of course completion of Office Broker Management Education

These documents should be sent to TREC. Upon review of this material, the Tennessee Real Estate Commission will notify candidates of examination eligibility. This eligibility notice will be required at the PSI Examination Center in lieu of the Prelicense Education Verification required of other candidates.

## NONRESIDENT LICENSE CANDIDATES

### Reciprocal License Application Candidates

The following documentation must be sent by ALL candidates licensed in a reciprocal state wishing to obtain a Tennessee Non-Resident Real Estate License (a current list of reciprocal states can be found on the Commission Web site):

- ☐ License history certification from the state in which you are currently licensed (note: licensure will not be considered until the Commission receives this certification)
- ☐ The broker or affiliate Non-Resident Application which can be

obtained from TREC

☐ Non-Resident Application for Firm License, if not already licensed

☐ Non-Resident Application for Principal Broker, if not already licensed

Send these documents to TREC and write on the envelope: "Attn: Non-Resident Review." This is the basic information. Contact TREC for specific information and to obtain the proper forms relating to your circumstances. If you want to obtain a non-resident license, you, the principal broker and the firm with which you are currently affiliated would need to apply for and be issued Tennessee Non-Resident Licenses. Non-Resident License Candidates (Non-reciprocal)  
Nonresidents who wish to obtain a Tennessee real estate license, must be licensed to a nonresident firm that is licensed to operate in Tennessee.

ALL nonresident candidates must send the following documentation to the Tennessee Real Estate Commission:

☐ Course completion certificates or transcripts documenting the required education

☐ A license history certification from the jurisdiction in which they are currently licensed

☐ Completed Consent to Suits form

Broker candidates only must also submit:

☐ The broker application

These documents should be sent to TREC.

Upon review of this material, the Tennessee Real Estate Commission will notify candidates of examination eligibility. This eligibility notice will be required at the PSI Examination Center in lieu of the Prelicense Education Verification required of other candidates.

## TIMESHARE SALESPERSON CANDIDATES

Candidates must present a completed Timeshare Salesperson Candidate Prelicense Verification form at the examination center.

## ACQUISITION AGENT LICENSE CANDIDATES

Candidates must contact PSI Customer Service to make an examination reservation. The application for licensure will be issued at the examination center to candidates who pass the examination.